

REMARKS

Claims 1-24 are pending in the application.

Claims 1-17 stand allowed.

Claim 18 has been cancelled without prejudice or disclaimer.

Claims 20-22 and 24 stand rejected.

Claims 19 and 23 stand objected to.

I. REJECTION UNDER 35 U.S.C. § 102

Claims 18, 21 and 24 have been rejected under 35 U.S.C. § 102 as being anticipated by *Vella*, U. S. Patent No. 5,545,257. The Applicants respectfully traverse the rejection of claims 18, 21 and 24 under 35 U.S.C. § 102.

Claim 18 recites depolarization method comprising the step of selectively exposing a portion of a fabrication tool to a plasma for a selected time interval. *Vella* allegedly teaches the invention of claim 18. The Applicants respectfully disagree. *Vella* plainly shows the plasma impinging on the upper surface of wafer 13. (*Vella*, column 4, lines 10-33; FIGURE 1.) Therefore, *Vella* does not teach selectively exposing a portion of a fabrication tool to a plasma for a selected time interval. Because anticipation requires that a single reference teach the identical invention as in claim 18, *Vella* does not anticipate claim 18.

The foregoing notwithstanding, to advance prosecution of the Application, the Applicants have cancelled claim 18 hereinabove, and incorporated the limitations of claim 18 into claim 19, now written in independent form. In view of the foregoing, the Applicants respectfully reserve the right to recapture the subject matter of claim 18 in any continuing application claiming priority to the instant Application.

Claims 21 and 24, originally depending from claim 18, have been rewritten hereinabove to depend from claim 19. Claim 21, as rewritten, recites the method of claim 19 further comprising the

step of generating said plasma with a plasma flood gun. Claim 24 recites the method of claim 19 wherein said portion of said fabrication tool is in a vacuum region of said fabrication tool. Nevertheless, for the reasons discussed above, *Vella* necessarily does not anticipate claims 21 and 24 as originally filed, and the Applicants respectfully reserve the right to recapture the subject matter of claims 21 and 24 in any continuing application claiming priority to the instant Application.

## II. REJECTION UNDER 35 U.S.C. § 102

Claims 18, 21 and 24 also have been rejected under 35 U.S.C. § 102 as being anticipated by *Farley et al.*, U. S. Patent No. 6,271,529 (*Farley*"). The Applicants respectfully traverse the rejection of claims 18, 21 and 24 under 35 U.S.C. § 102.

As the Applicants discussed in the Applicants' Reply Under 37 C.F.R. § 1.111 mailed on July 18, 2003 (the "Applicants First Reply"), *Farley* discloses a plasma generator that generates a plasma to neutralize the ion beam (of the implanter) and the work piece surface. (*Farley*, column 4, lines 44-46.) Consequently, *Farley* does not teach selectively exposing a portion of a fabrication tool to a plasma for a selected time interval. In view of the foregoing, the Applicants respectfully reserve the right to recapture the subject matter of claim 18 in any continuing application claiming priority to the instant Application.

Likewise, for the reasons discussed above, *Vella* necessarily does not anticipate claims 21 and 24 as originally filed, and the Applicants respectfully reserve the right to recapture the subject matter of claims 21 and 24 in any continuing application claiming priority to the instant Application.

### III. REJECTION UNDER 35 U.S.C. § 103

Claim 22 has been rejected under 35 U.S.C. § 103 as being unpatentable over *Vella* in view of *Aoki*, Japanese Patent No. JP8-167595. The Applicants respectfully traverse the rejection of claim 22 under 35 U.S.C. § 103.

As discussed hereinabove, *Vella* does not teach selectively exposing a portion of a fabrication tool to a plasma for a selected time interval. *Vella* admittedly does not teach an insulating pad as recited in claim 22. For at least these reasons, neither *Vella* nor *Aoki*, alone or in combination teach or suggest all of the limitations of claim 22. Furthermore, the suggestion that it would have been obvious to modify *Vella* to incorporate an insulating pad to support the target to prevent scratching and reduce particulate contamination is not supported by evidence from one of the possible sources of such a motivation. See MPEP § 2143.01. Additionally, such broad conclusory statements regarding the teachings of the references standing alone are not evidence. See *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q.2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q.2d 1313, 1317 (Fed. Cir. 2000); *In re Dembiczkak*, 175 F.3d 994, 999, 50 U.S.P.Q.2d 1614, 1616-17 (Fed. Cir. 1999)

Nevertheless, to advance prosecution of the Application, the Applicants have rewritten claim 22 to depend from allowable claim 19. The Applicants respectfully reserve the right to recapture the prior scope of claims 22 in any continuing application claiming priority to the instant Application.

### IV. REJECTION UNDER 35 U.S.C. § 103

Claim 20 has been rejected under 35 U.S.C. § 103 as being unpatentable over *Vella* in view of *Farley*. The Applicants respectfully traverse the rejection of claim 20 under 35 U.S.C. § 103.

To advance prosecution of the Application, Claim 20 has been rewritten hereinabove to depend from allowable claim 19. Nevertheless, as previously discussed, *Vella* does not teach selectively exposing a portion of a fabrication tool to a plasma for a selected time interval. Therefore

neither *Vella* nor *Vella* in combination with *Farley* teach or suggest all of the limitations of claim 20. The Applicants respectfully reserve the right to recapture the subject matter of claims 21 and 24 in any continuing application claiming priority to the instant Application.

V. ALLOWABLE SUBJECT MATTER

Claims 19 and 23 have been deemed allowable if rewritten to include all of the limitations of the base claim and any intervening claims. The Applicants have rewritten claim 19 in independent form and rewritten claim 23 to depend from claim 19. The Applicants appreciate the Examiner's deeming that claims 19 and 23 are allowable subject matter and further appreciate the allowance of claims 1-17. The Applicants thank the Examiner for his efforts in examining the Application.

VI. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that the remaining Claims in the Application are in condition for allowance, and respectfully request an early allowance of such Claims.

Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining problems.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.  
Attorneys for Applicant

By: Barry S. Newberger  
Barry S. Newberger  
Reg. No. 41,527

P.O. Box 50784  
Dallas, Texas 75201  
(512) 370-2808

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